

Introduced by Senator Vincent

February 20, 2003

An act to amend Section 841 of the Welfare and Institutions Code, relating to home supervision of juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 442, as amended, Vincent. Juveniles: home supervision.

Existing law provides that if a county probation department employs a method of home supervision of juveniles that includes electronic surveillance, the caseload will be no more than 15 minors.

This bill would instead provide that the caseload would be determined by the chief probation officer of the county, *in accordance with a memorandum of understanding executed with the appropriate employee bargaining unit*.

By imposing a new duty on local probation offices, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 841 of the Welfare and Institutions
2 Code is amended to read:
3 841. The duties of a deputy probation officer, or a probation
4 aide, a community worker or a volunteer under the supervision of
5 a deputy probation officer, assigned to home supervision are to
6 assure the minor's appearance at probation officer interviews and
7 court hearings and to assure that the minor obeys the conditions of
8 his or her release and commits no public offenses pending final
9 disposition of his or her case. A deputy probation officer,
10 probation aide, or community worker assigned to home
11 supervision shall have a caseload of no more than 10 minors.
12 However, if the county probation department employs a method
13 of home supervision which includes electronic surveillance, the
14 caseload size shall be determined by the chief probation officer of
15 the county *in accordance with a memorandum of understanding*
16 *executed with the appropriate employee bargaining unit.*
17 Whenever possible, a minor shall be assigned to a deputy
18 probation officer, probation aide, community worker, or volunteer
19 who resides in the same community as the minor.
20 SEC. 2. Notwithstanding Section 17610 of the Government
21 Code, if the Commission on State Mandates determines that this
22 act contains costs mandated by the state, reimbursement to local
23 agencies and school districts for those costs shall be made pursuant
24 to Part 7 (commencing with Section 17500) of Division 4 of Title
25 2 of the Government Code. If the statewide cost of the claim for
26 reimbursement does not exceed one million dollars (\$1,000,000),
27 reimbursement shall be made from the State Mandates Claims
28 Fund.

